

Appl. No. 09/597,796

Amtdt. dated February 10, 2006

Response to Notice of Allowance on November 18, 2005,  
and the Patent Office's Response to Request for Corrected  
Filing Receipt mailed on January 10, 2006,

PATENT

REMARKS

On January 4, 2006, Applicants submitted an Amendment after Allowance Under 37 CFR § 1.312(a), requesting correction of the priority information. The Patent Office has denied the claim for priority of Application No. 60/158,338, filed on October 7, 1999 and of Application No. 60/158,425, filed on October 7, 1999. Attached are the filing receipts for these two applications. A copy of the filing receipt for the instant application is also attached.

The reason given by the Office for the denial of these priority claims is that "A claim for priority cannot be made based on an application filed after the application making the claim." (*emphasis added*) However, as seen on the attached filing receipts, the claimed priority applications were filed on October 7, 1999. The instant application was filed on June 20, 2000. Applicants respectfully submit that the making of the priority claims to the 60/158,338 and 60/158,425 applications is correct, since the claimed priority applications were filed before the instant application, *i.e.*, the application making the claim of priority. Accordingly, Applicants respectfully request the entering of the amendments herein and the issuance of a Corrected Filing Receipt.

Applicants also attach hereto a Request for Corrected Filing Receipt, and a Supplemental Application Data Sheet.

Appl. No. 09/597,796

Amndt. dated February 10, 2006

Response to Notice of Allowance on November 18, 2005,  
and the Patent Office's Response to Request for Corrected  
Filing Receipt mailed on January 10, 2006,

PATENT

CONCLUSION

Entry of this amendment is respectfully urged since it merely cures formal defects  
in the specification and does not touch the merits.

Respectfully submitted,

  
Annette S. Parent  
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: 925-472-5000  
Fax: 415-576-0300  
Attachments  
ASP:mrw  
60700028 v1

PTO-103P  
(Rev. 8-98) PROVISIONAL APPLICATION  
FILING RECEIPT

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

01458-0083005

AS Paren +

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
60/158,338	10/07/99		\$150.00	014058-00830		11	

020350  
TOWNSEND AND TOWNSEND AND CREW LLP  
TWO EMBARCADERO CENTER  
8TH FLOOR  
SAN FRANCISCO CA 94111-3834

Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Provisional Application, Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate). This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to restore it to pending status beyond a date which is after twelve (12) months from its filing date.

Applicant(s) RAYMOND L. HOUGHTON, BOTHELL, WA; YASIR SKEIRY, SEATTLE, WA; PATRICIA D. MCNEILL, DES MOINES, WA; DAVIN C. DILLON, REDMOND, WA; MIKE J. LODES, SEATTLE, WA.

IF REQUIRED, FOREIGN FILING LICENSE GRANTED 10/22/99

TITLE  
FUSION PROTEINS OF MYCOBACTERIUM TUBERCULOSIS ANTIGENS AND METHODS OF  
THEIR USE

TOWNSEND & TOWNSEND  
& CREW

99 OCT 28 AM 9:49

RECEIVED

DATA ENTRY BY: YON, LOWUAN

TEAM: 05 DATE: 10/22/99

PAGE 6/15 \* RCVD AT 2/10/2006 6:40:58 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/30 \* DNIS:2738300 \* CSID:9254728895 \* DURATION (mm:ss):03:02

PTO-103P  
(Rev. 6-96) PROVISIONAL APPLICATION  
FILING RECEIPT

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

AS Parent

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTORNEY DOCKET NO.	DRWGS	TOT CL	IND CL
60/158,425	10/07/99		\$150.00	014058-00840		27	

020350  
TOWNSEND AND TOWNSEND AND CREW LLP  
TWO EMBARCADERO CENTER  
8TH FLOOR  
SAN FRANCISCO CA 94111-3834

Receipt is acknowledged of this Provisional Application. This Provisional Application will not be examined for patentability. Be sure to provide the PROVISIONAL APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this Receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Provisional Application Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts of Application" ("Missing Parts Notice") in this application, please submit any corrections to this Filing Receipt with your reply to the "Missing Parts Notice." When the PTO processes the reply to the "Missing Parts Notice," the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate). This Provisional Application will automatically be abandoned twelve (12) months after its filing date and will not be subject to revival to restore it to pending status beyond a date which is after twelve (12) months from its filing date.

Applicant(s) STEVE G. REED, BELLEVUE, WA; YASIR SKEIKY, SEATTLE, WA.

TITLE  
FUSION PROTEINS OF MYCOBACTERIUM TUBERCULOSIS ANTIGENS AND METHODS OF  
THEIR USE

TOWNSEND &amp; TOWNSEND

99 OCT 25 AM 9:55  
RECEIVED

DATA ENTRY BY: YON, LOWUAN

TEAM: 05 DATE: 10/21/99

PAGE 7/15 \* RCVD AT 2/10/2006 6:40:58 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/30 \* DNI:2738300 \* CSID:9254728895 \* DURATION (mm:ss):03:02



## UNITED STATES PATENT AND TRADEMARK OFFICE

ASPC

014058-009050US  
 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (C) DATE	ART UNIT	FIL FEE REC'D	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/597,796	06/20/2000	1645	1009	014058-009050US	4	54	4

CONFIRMATION NO. 6269

20350  
 TOWNSEND AND TOWNSEND AND CREW, LLP  
 TWO EMBARCADERO CENTER  
 EIGHTH FLOOR  
 SAN FRANCISCO, CA 94111-3834

CORRECTED FILING RECEIPT



\*OC000000017806897\*

Date Mailed: 01/10/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Yasir Skeiky, Seattle, WA;  
 Steven Reed, Bellevue, WA;  
 Mark Alderson, Bainbridge Island, WA;

Power of Attorney: The patent practitioners associated with Customer Number 20350.

## Domestic Priority data as claimed by applicant

This application is a CIP of 09/287,849 04/07/1999 PAT 6,627,198  
 which is a CIP of 09/223,040 12/30/1998 PAT 6,544,522  
 which is a CIP of 09/056,556 04/07/1998 PAT 6,350,456

## Foreign Applications

UNITED STATES OF AMERICA PCT/US99/07717 04/07/1999

If Required, Foreign Filing License Granted: 08/11/2000

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US09/597,796**

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

FEB 10 2006

I hereby certify that this correspondence is being facsimile  
transmitted to the United States Patent and Trademark Office.  
Fax No. 1-571-273-8300 on 2-10-2006

TOWNSEND and TOWNSEND and CREW LLP

By: Marta VanegaPATENT

Attorney Docket No.: 014058-009050US

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Yasir Skeiky et al.

Application No.: 09/597,796

Filed: June 20, 2000

For: Fusion Proteins of Mycobacterium  
Tuberculosis

Examiner: Rodney P. Swartz

Art Unit: 1645

REQUEST FOR CORRECTED FILING  
RECEIPT

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants respectfully request correction of the official filing receipt issued in the subject application, as well as correction of the continuity data on PAIR.

There is an error on the official Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a further corrected filing receipt is respectfully requested. Priority information is missing from the "Domestic Priority data as claimed by applicant" section. This section, in its entirety, should read as follows:

-- This application is a CIP of 09/287,849 04/07/1999  
which is a CIP of 09/223,040 12/30/1998  
which is a CIP of 09/056,556 04/07/1998  
and claims benefit of 60/158,338 10/07/1999  
and claims benefit of 60/158,425 10/07/1999. --

Yasir Skeiky et al.  
Application No.: 09/597,796  
Page 2

PATENT

Also, the priority information indicated at the "Foreign Priority" section is still incorrect. This section should contain the World Intellectual Property Organization, instead of the United States of America, and should read as follows:

--World Intellectual Property Organization PCT/US99/07717 04/07/1999.--

Attached hereto is a copy of the official Corrected Filing Receipt received from the Patent and Trademark Office in the above-noted application for which issuance of a further corrected filing receipt is respectfully requested. The requested corrections have been noted in red ink. Also attached hereto is a Supplemental Application Data Sheet containing the above-described information.

These corrections are not due to any error by Applicants and it is believed no fee is due. Please charge any additional fees or credit overpayment to Deposit Account No. 20-1430.

Respectfully submitted,



Annette S. Parent  
Reg. No. 42,058

TOWNSEND and TOWNSEND and CREW LLP  
Two Embarcadero Center, Eighth Floor  
San Francisco, California 94111-3834  
Tel: (415) 576-0200  
Fax: (415) 576-0300  
ASP/mrv

60700824 v1



## UNITED STATES PATENT AND TRADEMARK OFFICE

ASPC/JC

 UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Attn: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (S) DATE	ART UNIT	FIL FEE RECD	ATTY.DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
09/597,796	06/20/2000	1645	1009	014058-009050US	4	54	4

CONFIRMATION NO. 6269

20350  
 TOWNSEND AND TOWNSEND AND CREW, LLP  
 TWO EMBARCADERO CENTER  
 EIGHTH FLOOR  
 SAN FRANCISCO, CA 94111-3834

CORRECTED FILING RECEIPT

  
 \*0C000000017802897\*

Date Mailed: 01/10/2006

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Yasir Skeiky, Seattle, WA;  
 Steven Raed, Bellevue, WA;  
 Mark Alderson, Bainbridge Island, WA;

Power of Attorney: The patent practitioners associated with Customer Number 20350.

## Domestic Priority data as claimed by applicant

This application is a CIP of 09/287,849 04/07/1999 PAT 6,627,198  
 which is a CIP of 09/223,040 12/30/1998 PAT 6,544,522  
 which is a CIP of 09/058,556 04/07/1998 PAT 6,350,456  
 and claims benefit of 60/158,338 10/07/1999  
 and claims benefit of 60/158,425 10/07/1999.

## Foreign Applications

UNITED STATES OF AMERICA PCT/US99/07717 04/07/1999  
 WORLD INTELLECTUAL PROPERTY ORGANIZATION

If Required, Foreign Filing License Granted: 08/11/2000

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is US09/597,796

Projected Publication Date: None, application is not eligible for pre-grant publication

Non-Publication Request: No

RECEIVED  
CENTRAL FAX CENTERSupplemental Application Data Sheet

FEB 10 2006

**Application Information**

Application number:: 09/597,796  
Filing Date:: 06/20/00  
Application Type:: Regular  
Subject Matter:: Utility  
Suggested classification::  
Suggested Group Art Unit:: 1645  
CD-ROM or CD-R??::  
Number of CD disks::  
Number of copies of CDs::  
Sequence Submission:: Paper  
Computer Readable Form (CRF):: Yes  
Number of copies of CRF:: 1  
Title:: FUSION PROTEINS OF MYCOBACTERIUM  
TUBERCULOSIS  
Attorney Docket Number:: 014058-009050US  
Request for Early Publication:: No  
Request for Non-Publication:: No  
Suggested Drawing Figure::  
Total Drawing Sheets:: 4  
Small Entity?:: No  
Latin name::  
Variety denomination name::  
Petition included?:: No  
Petition Type::  
Licensed US Govt. Agency::  
Contract or Grant Numbers One::  
Secrecy Order in Parent Appl.:: No

**Applicant Information**

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Canada  
Status:: Full Capacity  
Given Name:: Yasir  
Middle Name::  
Family Name:: Skeiky  
Name Suffix::  
City of Residence:: Seattle  
State or Province of Residence:: WA  
Country of Residence:: US  
Street of Mailing Address:: 8327 25th Ave. N W  
City of Mailing Address:: Seattle  
State or Province of mailing address:: WA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 98107

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: US  
Status:: Full Capacity  
Given Name:: Steven  
Middle Name::  
Family Name:: Reed  
Name Suffix::  
City of Residence:: Bellevue  
State or Province of Residence:: WA  
Country of Residence:: US  
Street of Mailing Address:: 2843 122nd Place NE  
City of Mailing Address:: Bellevue  
State or Province of mailing address:: WA

BEST AVAILABLE COPY

Country of mailing address:: US  
Postal or Zip Code of mailing address:: 98005

Applicant Authority Type:: Inventor  
Primary Citizenship Country:: Australia  
Status:: Full Capacity  
Given Name:: Mark  
Middle Name::  
Family Name:: Alderson  
Name Suffix::  
City of Residence:: Bainbridge Island  
State or Province of Residence:: WA  
Country of Residence:: US  
Street of Mailing Address:: 1116 Grow Avenue, NW  
City of Mailing Address:: Bainbridge Island  
State or Province of mailing address:: WA  
Country of mailing address:: US  
Postal or Zip Code of mailing address:: 98116

**Correspondence Information**

Correspondence Customer Number:: 20350

**Representative Information**

Representative Customer Number:: 20350

**Domestic Priority Information**

Application:: This Application	Continuity Type:: An Appn claiming benefit under 35 USC 119(e) of	Parent Application:: 60/158,338	Parent Filing Date:: 10/07/99
This Application	An Appn claiming benefit under 35 USC 119(e) of	60/158,425	10/01/99
This Application 09/287,849 09/223,040	Continuation-in-part of Continuation-in-part of Continuation-in-part of	09/287,849 09/223,040 09/056,556	04/07/99 12/30/98 04/07/98

**Foreign Priority Information**

Country:: WO	Application number:: PCT/US99/07717	Filing Date:: 04/07/99
-----------------	--	---------------------------

**Assignee Information**

Assignee Name::	Corixa Corporation
Street of mailing address::	1900 9th Avenue, Suite 1100
City of mailing address::	Seattle
State or Province of mailing address::	Washington
Country of mailing address::	US
Postal or Zip Code of mailing address::	98101

BEST AVAILABLE COPY